

1827172

CASE FILE NO.

63287

MASTER ADDRESS NO.

NOTICE OF NONCOMPLIANCE
OR
NOTICE OF NONCOMPLIANCE
& PLAN OF CORRECTION



Oregon Department of Agriculture
Natural Resources Division
635 Capitol Street NE
Salem, Oregon 97301-2532
(503) 986-4700

Bailey Farms Inc.
CONFINED ANIMAL FEEDING OPERATION (CAFO)

Chuck Bailey
CAFO OPERATOR'S NAME

33275 Gist Rd. Cloverdale OR 97112 (503) 812-6580
STREET ADDRESS, CITY, STATE, ZIP PHONE NUMBER

On 5/3/18
MONTH, DAY, YEAR

Armando Macias
INSPECTOR'S NAME

of the Oregon Department of Agriculture met with you to review your compliance with the Oregon CAFO General Permit or the Oregon CAFO Individual Permit issued for your operation by the Department of Agriculture, and state laws and regulations relating to protection of the state's waters. The principal requirement of the permit is that animal wastes be managed so pollutants do not discharge into surface waters or impact groundwater. You are also required to contain, treat, hold and dispose of wastes in a manner that does not adversely impact water quality.

Based on the inspector's observations and report, the department concludes that conditions exist at your operation that are in violation of your CAFO permit and state water quality laws. The purpose of this **Notice of Noncompliance (NON)** or **Notice of Noncompliance & Plan of Correction (POC)** is to identify for you the conditions of your operation that are out of compliance and must be corrected. The department is committed to working with you as you take the necessary actions to bring your CAFO into compliance.

Description of Violation(s):

S2.E. 21 Waste Storage Facilities
there is evidence of a substantial discharge onto a field caused
by the Above Ground Liquid Manure Tank (AGLMT) overflowing
onto field.

Required Corrective Action(s) and Compliance Schedule:

To correct the violation(s) you are directed to take the following actions by the date(s) indicated.

Required Action #1 (RA#1) - Operate your facility in accordance to your
ODA approved C PMP and CAFO Permit at all times.

RA#2 Conduct weekly inspections and document liquid levels in your
AGLMT starting in May of 2018 and continue for the life of this CAFO
permit.

RA#3 ASAP dis. in manure that was discharged onto field and reseed
area.

Thank you for your cooperation in these matters. If you have any questions, please contact me.

Under the Oregon Plan for Salmon and Watersheds, Oregonians across the state are working together in a spirit of cooperation to restore and maintain our rivers, lakes and streams for multiple uses. By completing the measures described above, you can do your part to protect and improve water quality.

Sincerely,

Inspector's Signature
Livestock Water Quality Specialist
CAFO Program, Natural Resources Division
Phone: 503-842-6278

Entered: 5/18/18
AM

REVISED 7/1/2004

18 27172

Confined Animal Feeding Operation Facility Inspection Report



Oregon
Department
of Agriculture

635 Capitol Street N.E.
Salem, OR 97301-2532

280/430
190/60

INSPECTION TYPE:

- ☒ Routine
☐ Follow-up
☐ Complaint
☐ Educational Review
☐ EPA
☐ Planning Assistance
☒ Announced ☐ Unannounced
☐ Other:

Date: 5/3/18 Arrival Time: 11a Departure Time: _____ License No.: 63287 Permitted Animal Numbers: 420/480
 Assumed Business Name: Bailey Farms Inc.
 Operator's Name: Chuck Bailey E-mail Address: _____
 Address: 33275 Gist Rd.
 City: Cloverdale Zip: 97112 County: Tillamook
 Phone Number: _____ Cell Phone Number: 812-6580

A Confined Animal Feeding Operation inspection was made at your facility on this date. Summary of inspection results is below.

LEGEND: C=Compliance N=Non-compliance NA=Not Applicable NE=Not Evaluated *=See Remark

ITEM	REMARKS
C 1. Livestock Inventory: <u>326</u> <u>55</u> Total: <u>381</u>	New CUMP to ODA under review.
C 2. Parlor, Milk House, Holding Pen a. Milk parlor/bulk tank waste water not properly drained b.	AGLMT down 4 1/2 buttons evidence of Tank overflowing into the field in April - NON POC issued.
C 3. Animal Confinement Facilities a. Manure accumulation on unprepared bare-earth surfaces b. Excessive uncontained manure accumulation on animal access lanes c. Openings through which manure or run-off can escape d.	Solids- less than 1/3 full
* 4. Manure and Silage Containment Facilities a. Uncontained manure stockpiled prior to or during rainy weather b. Uncontained manure stockpiled in or near drainage ways c. Uncontained contaminated run-off from silage bunker or feedstuffs d. Liquid manure facilities overflowing e. Manure storage facilities not emptied/prepared for start of rainy season f. Capacity of liquid manure facilities reduced by accumulation of solids g. Earthen embankments not properly maintained or leaking h. Facilities have openings through which manure or run-off can escape i. Roof run-off system failure can or does produce uncontained contaminated run-off or reduces manure storage capacity j. Pumps or agitators inoperable k.	BGLMT- down about 2 1/2 ft.
C 5. Manure Application Areas Acres: _____ a. Manure applied to standing water or to soils that are saturated or flooded b. Manure applied to soils likely to be flooded in the next couple of months c. Liquid manure ponding on soils d. Contaminated surface and subsurface effluent from drainage tiles e. Manure or contaminated run-off flowing toward or into waters of the state f. Manure application exceeds agronomic rate g. Liquid manure applied during heavy rainfall h. Manure application not in accordance with AWMP i. Manure applied to frozen or snow-covered soils j. Manure application system failure k.	Entered: 5/18/18
C 6. Animal Waste Management Plan (AWMP) and Recordkeeping a. Soil-sampling results or manure-sampling results b. Recordkeeping c.	Records on CFAO calendars Last application end of April Cooks OK

CONCLUSION:

- ☐ a. Facility in compliance. Thank you for your cooperation in protecting the quality of Oregon's surface and ground waters.
☐ b. On Schedule.
☐ c. Planning Assistance.
☐ d. Educational Review.
☒ e. Concern(s) identified. See attached Water Quality Advisory.
☒ f. Violation(s) identified. See attached Notice of Noncompliance and Plan of Correction.
☐ g. Final Inspection Results Pending.

Inspector Signature

Operator Signature

White (Office copy) Yellow (Operator copy) Pink (Inspector copy)

Form No. 7014 (Rev. 01/09)